

# OHV County Assessment



## Off-highway Vehicles

**Research Study & Final Report  
Conducted Fall 2007**



Prepared by:  
Marketing & Advertising Business Unlimited, Inc. (dba Agency MABU)  
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# **North Dakota Parks and Recreation Department**

## Off-highway Vehicle (OHV) Study

### County Survey Report

## A Market Research Study Conducted by

Marketing and Advertising Business Unlimited, Inc.  
(dba Agency MABU)  
222 South 12<sup>th</sup> Street  
Bismarck, ND 58504

January 2008

### **Acknowledgements**

In the Fall of 2007, the North Dakota Parks and Recreation Department commissioned **Marketing & Advertising Business Unlimited** (dba Agency MABU) to assist in conducting a market research study. The purpose of this study was to assess and evaluate awareness levels and utilization patterns relating to OHV usage in North Dakota.

Agency MABU conducted mail-back surveys with North Dakota county officials as well as phone and online surveys with registered OHV owners in North Dakota.

Mike Mabin, owner of Agency MABU, served as the lead research coordinator. He was assisted by MABU associates Kay LaCoe, Robin Morgan, Janel Schmitz and Tina Williams who coordinated various aspects of the project including primary and secondary research, data entry, research analysis, graphic design and report writing.

Agency MABU extends sincere thanks to North Dakota Parks and Recreation Department officials including Douglass A. Prchal, director, Arik Spencer, recreation division manager and Erik Dietrich, motorized recreation coordinator for providing guidance and support throughout the research process.

The researchers also acknowledge the respondents who participated in the research study by providing information and insights through phone surveys. The completed surveys were used to compile the research findings for this study.

Funding for this study was provided by the North Dakota Parks and Recreation Department and the Federal Highway Administration's Recreational Trails Program. For more information or to receive additional copies of this report, contact:

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Respectfully submitted,



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**Table of Contents**

Conduct of Study ..... 4

Executive Summary ..... 6

Research Findings – County Survey ..... 9

    I. OHV Usage – County Official Perspective ..... 11

    II. Land Availability ..... 12

    III. Public Interest ..... 13

    IV. Input on Current Laws ..... 19

    V. Concerns Regarding OHV Usage ..... 26

Appendix ..... 28

    I. Cover Letter (county survey instrument) ..... 29

    II. Written Questionnaire (county survey instrument) ..... 30

### **Conduct of Study**

In October 2007, Marketing & Advertising Business Unlimited, Inc. (dba Agency MABU) was commissioned by the North Dakota Parks and Recreation Department to conduct a market research study to assess and evaluate awareness levels and utilization patterns relating to off-highway vehicle (OHV) usage in North Dakota.

The study was conducted in three parts. The first component, the results of which are compiled in this report, consisted of a written survey of 53 county officials, representing each county in North Dakota. Twenty-six counties returned the survey. A follow-up email with a survey link was sent to the remaining 27 counties, with twelve of the counties responding. There were a total of 38 responses, a 71.6% response rate.

The second component consisted of a random sample telephone survey of 404 registered OHV owners throughout North Dakota. This results in a margin of error of plus or minus 4.9%. For example, this means that if 80% of the respondents answered “yes” to a particular question, somewhere between 75.1% to 84.9% of the total population of registered OHV owners would answer the same way.

The third component consisted of a targeted online survey of 18 registered OHV owners throughout North Dakota. Respondents were part of the 404 registered OHV owners who participated in the telephone survey. Seventy (70) of those respondents indicated they would be willing to participate in an online survey focused on OHV recreation. Of those 70 people, 18 completed the survey, indicating a 26% response rate.

For each survey, officials from the North Dakota Parks and Recreation Department provided the research firm with the names and contact information of North

Dakota county officials and registered OHV owners in North Dakota. The North Dakota Parks and Recreation Department additionally provided a database of 22,737 registered OHV users in North Dakota. Out of this population, individuals were randomly selected to participate in the research study.

## **Executive Summary**

## **Overview of Market Research – North Dakota County Official Assessment**

In the fall of 2007, Agency MABU surveyed officials in all North Dakota counties.

The 2007 county survey was developed as a means to assess and evaluate awareness levels and utilization patterns relating to OHV usage from the perspective of county officials.

The complete results from the research study are presented in full with detailed summaries and graphs in the section of this report entitled *Research Findings*.

### ***Available Sites for OHV Trail Development***

A small percentage (13%) of county officials who responded to the survey identified land sites that were currently available for developing OHV trails. The county officials who stated that they have available sites represent the following counties:

Bottineau  
Burleigh

Mercer  
Sheridan

Stutsman

### ***Potential Sites for OHV Trail Development***

A small percentage (15%) of county officials who responded to the survey stated that there were potential land sites available for developing trails. The county officials who stated that they receive requests for development of potential sites represent the following counties:

Billings  
Golden Valley

McKenzie  
Sioux

Slope  
Towner

### ***Public Information Requests on OHV Riding Areas***

A small percentage (15%) of county officials who responded to the survey stated that they receive requests for general information on OHV use areas or for future development. Of those respondents, Burleigh and McLean county officials had more than 50 requests.

### ***County Role in Trail Development***

The majority (52.6%) of county officials who responded to the survey believe the county has little or no role in assisting with the development of state OHV trails.

**Interest in Trail Development Grants**

About one quarter (24.3%) of counties who responded to the survey expressed a “high” to “medium” interest in taking advantage of OHV trail development grants. The county officials who stated that they have an interest in grants represent the following counties:

Bowman	Golden Valley (high)	Pierce
Bottineau	McKenzie	Sioux
Foster	Nelson	Towner

**County & State Laws Governing OHV use**

The majority (57.9%) of respondents believe county laws governing OHV usage are adequate. The majority (65.8%) of respondents believe state laws governing OHV usage are adequate. Several suggestions for improvement included an age limit for operators, cc restriction, and stricter enforcement of age operators and DUI laws.

**Additional Comments**

County officials were asked to list their top three concerns regarding OHV use in North Dakota. The majority (50.9%) of responses involved safety concerns including, but not limited to, general safety, helmet usage, violations of safety and traffic laws, accidents, and liability. Property damage (38.1%), youth riding (5.4%) and licensing issues (5.4%) were also areas of concern.

## **Research Findings**

## **County Officials Research Methods**

Agency MABU distributed either a mail-back survey or online survey link to officials of each North Dakota county. Twenty six counties completed and returned the mail-back survey. A follow-up email with a survey link was sent to the remaining 27 counties, with twelve of the counties responding. There were a total of 38 responses, a 71.6% response rate.

- |                              |                              |
|------------------------------|------------------------------|
| 1. Adams County              | 28. McLean County            |
| 2. <i>Barnes County *</i>    | 29. Mercer County            |
| 3. <i>Benson County *</i>    | 30. <i>Morton County *</i>   |
| 4. Billings County           | 31. Mountrail County         |
| 5. Bottineau County          | 32. Nelson County            |
| 6. Bowman County             | 33. <i>Oliver County *</i>   |
| 7. Burke County              | 34. <i>Pembina County *</i>  |
| 8. Burleigh County           | 35. Pierce County            |
| 9. Cass County               | 36. Ramsey County            |
| 10. <i>Cavalier County *</i> | 37. Ransom County            |
| 11. Dickey County            | 38. <i>Renville County *</i> |
| 12. <i>Divide County *</i>   | 39. Richland County          |
| 13. Dunn County              | 40. <i>Rolette County *</i>  |
| 14. Eddy County              | 41. Sargent County           |
| 15. Emmons County            | 42. Sheridan County          |
| 16. <i>Foster County *</i>   | 43. Sioux County             |
| 17. Golden Valley County     | 44. Slope County             |
| 18. Grand Forks County       | 45. <i>Stark County *</i>    |
| 19. Grant County             | 46. <i>Steele County *</i>   |
| 20. Griggs County            | 47. Stutsman County          |
| 21. Hettinger County         | 48. Towner County            |
| 22. Kidder County            | 49. Traill County            |
| 23. LaMoure County           | 50. Walsh County             |
| 24. Logan County             | 51. Ward County              |
| 25. McHenry County           | 52. Wells County             |
| 26. McIntosh County          | 53. <i>Williams County *</i> |
| 27. McKenzie County          |                              |

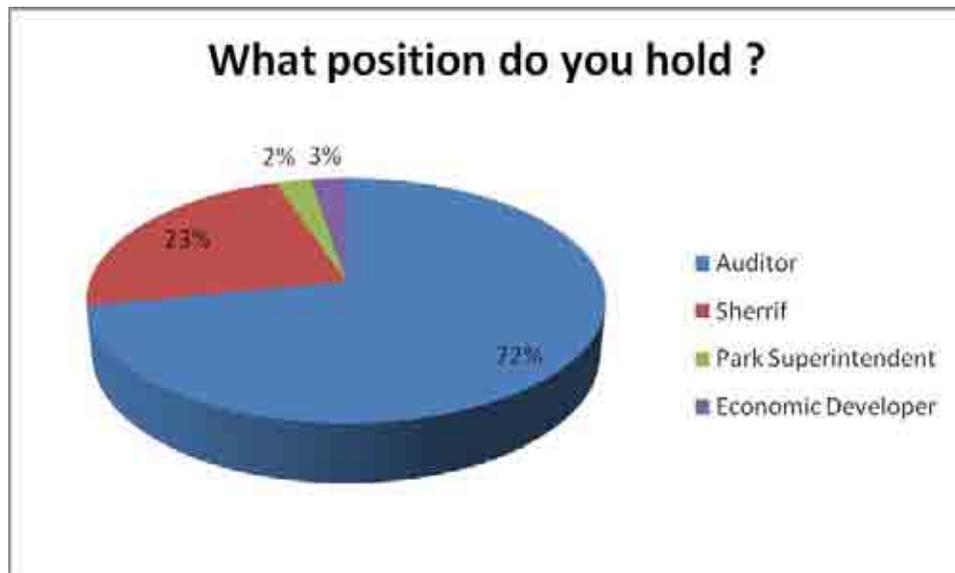
\* Indicates counties who did not complete the survey.

### County Officials Survey Results

#### What position do you hold in the county?

Thirty-nine responses were received. Survey respondents included 29 auditors, 23 sheriffs, one (1) park superintendent and one (1) economic development representative.

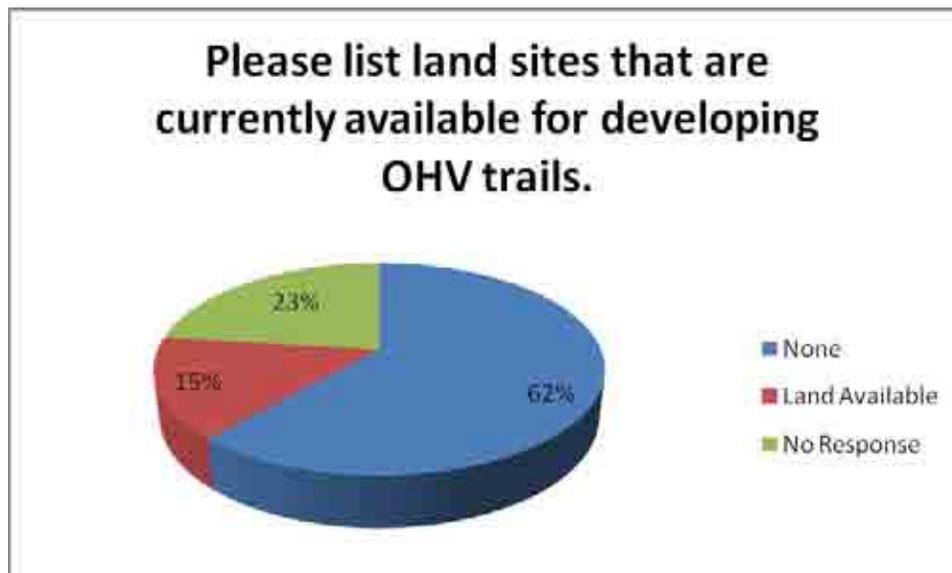
Auditors	Sheriffs	Park Superintendent	Economic Development
72% (29)	23% (9)	2.5% (1)	2.5% (1)



**Question #1. Please list land sites that are currently available for developing OHV trails.**

When asked about land currently available or potentially available for OHV trail development, 24 respondents (62%) responded that there was currently no land available for developing OHV trails. Six respondents (15%) offered suggestions within their counties as to the available land; nine counties (23%) did not respond to the question.

No Land Available	Land Available	No Response
62% (24)	15% (6)	23% (9)



**Comments:**

- McClusky Canal area – Sheridan County
- Spiritwood Lake, Jamestown Reservoir, Parkhurst Recreation Area – Stutsman County
- Kimball Bottoms, Missouri Valley Complex –Burleigh County
- Trails in the Turtle Mountain and they are shown on the snowmobile maps; I believe – Bottineau County
- Ridge Runner Motorcycle Club – Mercer County
- Local residents use private land with the landowner’s permission. There isn’t anything “out there” and for public disclosure at this time. – Golden Valley
- Specific trails on the Little Missouri National Grasslands. Section line two tracks between private lands. – McKenzie County

**Question #2. Please list land sites that you think may be available for developing OHV trails.**

A second question regarding the potential availability of land for development was asked. Nineteen respondents (49%) stated they were unaware of land that may be available while seven respondents (18%) offered some suggestions. Thirteen counties (33%) did not respond to the question.

No Land Available	Land Available	No Response
49% (19)	18% (7)	33% (13)



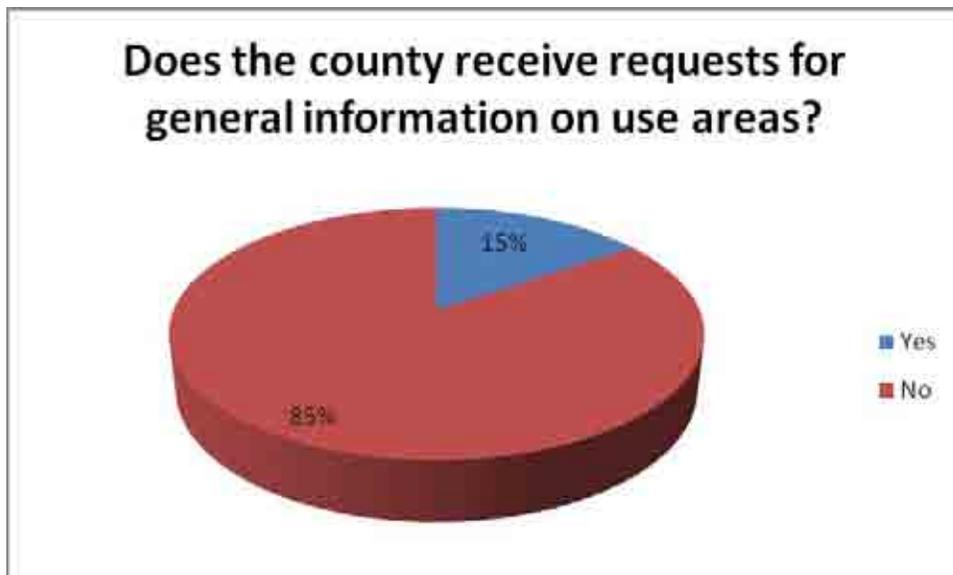
**Comments:**

- It is my understanding that the Forest Service may be developing some on their land. – Slope County
- None have been specifically looked at, but there are possible sites near Four Water Recreation Areas. – Towner County
- Unknown Froelich Dam area, Standing Rock Prairie Knights Marina – Sioux County
- Forest Service Land – Billings County
- None that I know of. Most private land owners that I have talked to do not want any type of track or land set aside for this purpose. – Bowman County
- School lands, section lines and existing motorized trails of the National Grasslands and Forest Service lands. – Golden Valley County
- Little Missouri National Grasslands – McKenzie County

**Question #3. Does the county receive requests for general information on use areas?**

When asked if they received information requests on use areas, the majority of respondents (85%) stated they did not receive requests for general information on use areas.

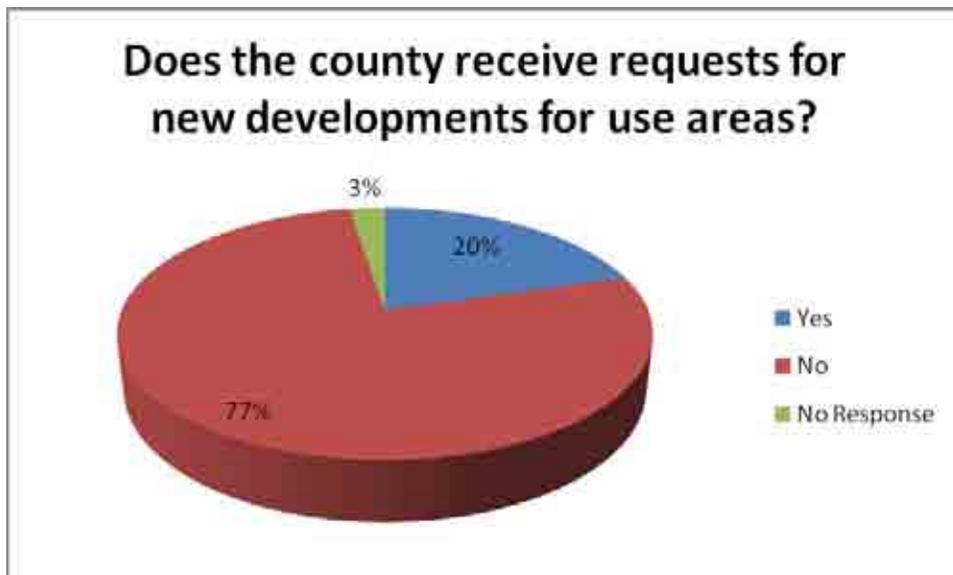
Yes	No
15% (6)	85% (33)



**Question #3A. Does the county receive requests for new developments for use areas?**

When asked if county officials received requests for development of new use areas, the majority (77%) stated that they did not. One person did not complete this question.

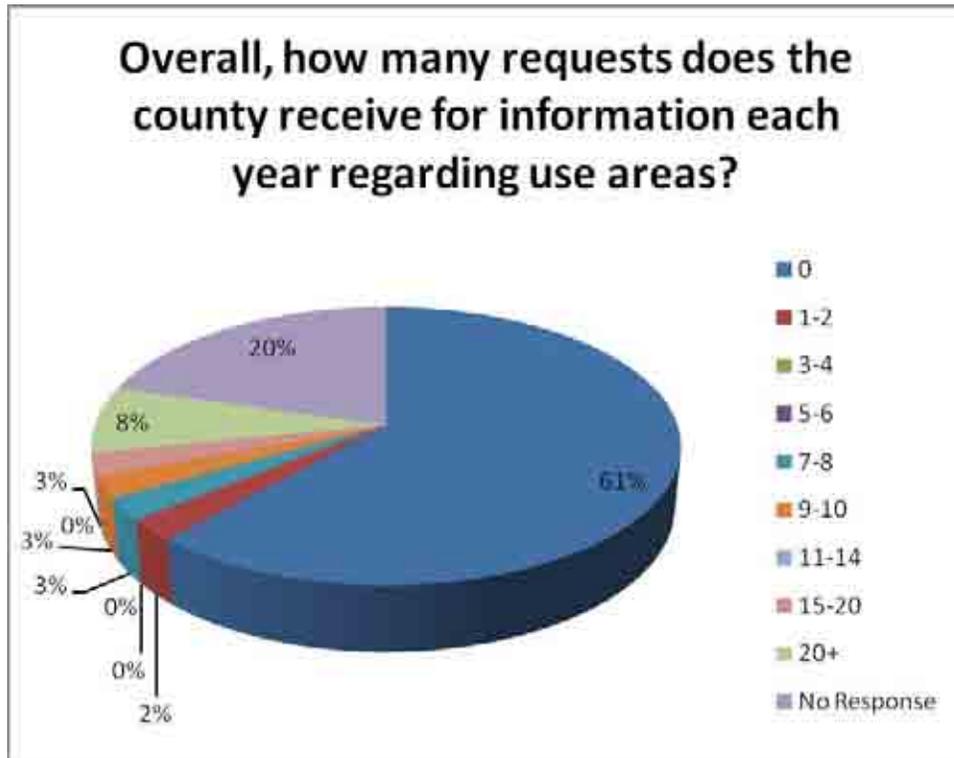
Yes	No	No Response
20%	77%	3%
(8)	(30)	(1)



**Question #3B. Overall, how many requests does the county receive for information each year regarding use areas?**

When asked to state the number of requests received each year about use areas, the majority (61%) stated that they received no requests for information. Three counties (8%) stated that they had greater than twenty requests for information. No response was provided by eight counties.

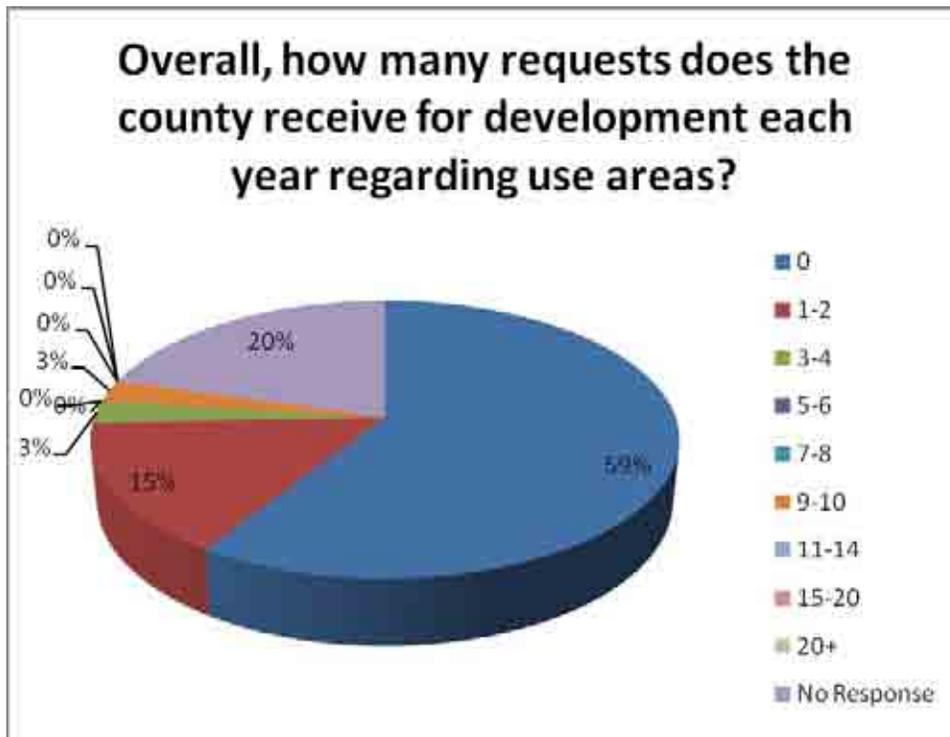
Number of requests	Information
Zero	61% (24)
1-2	2% (1)
3-4	0% (0)
5-6	0% (0)
7-8	3% (1)
9-10	3% (1)
11-14	0% (0)
15-20	3% (1)
More than 20	8% (3)
No response	20% (8)



**Question #3C. Overall, how many requests does the county receive each year regarding development of use areas?**

When asked to state the number of requests received each year about development of use areas, the majority (59%) stated that they received no requests for information. Six counties (15%) stated that they had 1-2 requests for information. No response was provided by eight counties.

Number of requests	Development
Zero	59% (23)
1-2	15% (6)
3-4	3% (1)
5-6	0% (0)
7-8	0% (0)
9-10	3% (1)
11-14	0% (0)
15-20	0% (0)
More than 20	0% (0)
No response	20% (8)



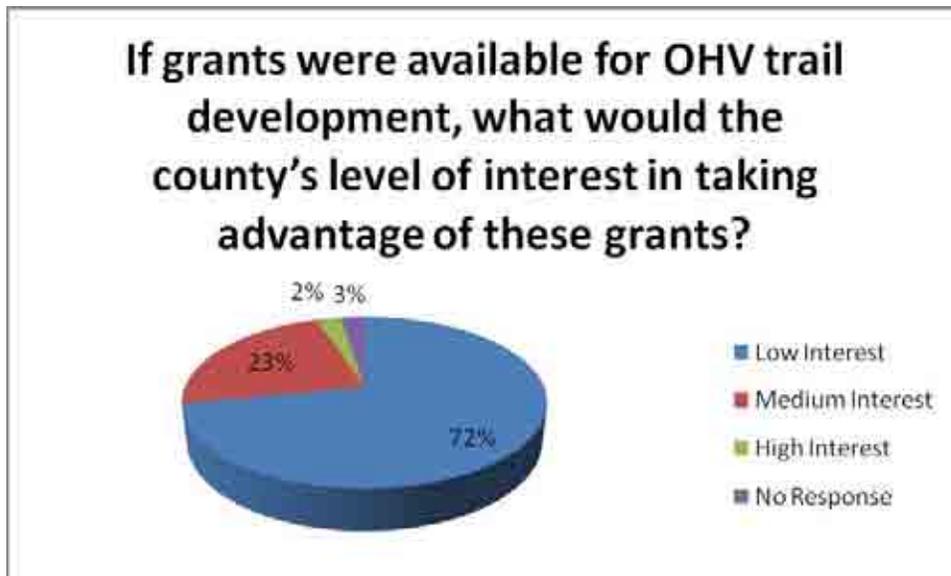
**Question #4. If grants were available for OHV trail development, what would the county's level of interest in taking advantage of these grants?**

When asked if they would be interested in obtaining grants to develop trails in their county, the majority (72%) stated that they had low interest in doing so; 23% expressed medium interest, and 3% expressed high interest.

The counties which expressed a high interest were Eddy and Golden Valley,

The counties which expressed a medium interest were Bottineau, Bowman, Foster, McKenzie, Nelson, Pierce, Sioux and Towner.

Interest Level	Responses
High interest	3% (2)
Medium interest	23% (8)
Low interest	72% (28)
No response	2% (1)

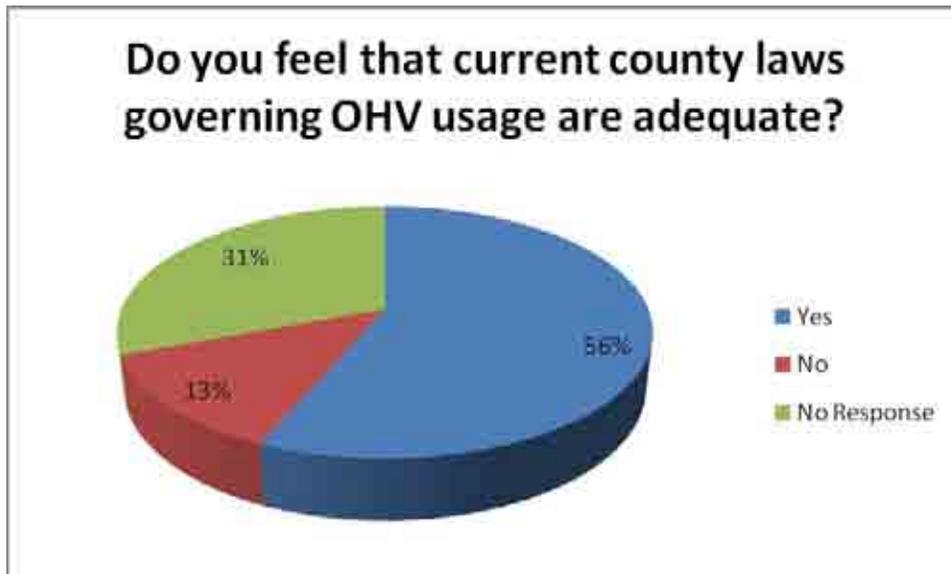


**Question #5. Do you feel that current county laws governing OHV usage are adequate?**

The majority (59%) of respondents feel the current county laws are adequate.

There was no response given by 31% of the respondents regarding county laws.

Yes	No	No response
56% (22)	13% (5)	31% (12)



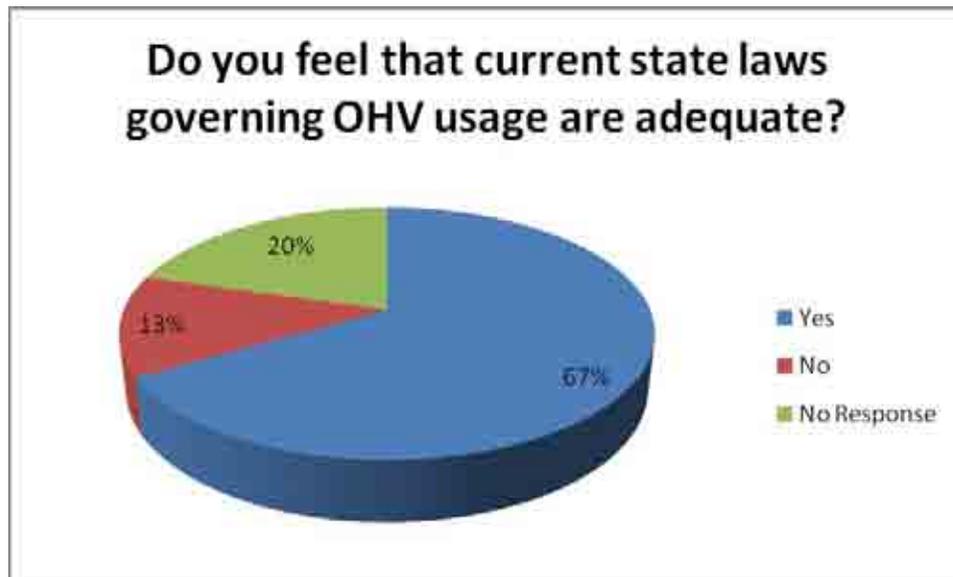
**Comments:**

- Allowed on private property; either own or permission from land owner. Businesses with permit. Governmental agencies, designated areas that are posted.
- Not familiar with laws.
- Ban them – they shouldn't be on county roads, state or federal highways or city streets.
- Not sure of the laws
- Age limit for operators; cc restriction
- Unaware of state laws
- Stricter enforcement of age of operators and DUI laws

**Question #6. Do you feel that current state laws governing OHV usage are adequate?**

The majority (67%) of respondents feel the current state laws are adequate. There was no response given by 20% of the respondents regarding state laws.

Yes	No	No Response
67%	13%	20%
(26)	(5)	(8)



**Comments:**

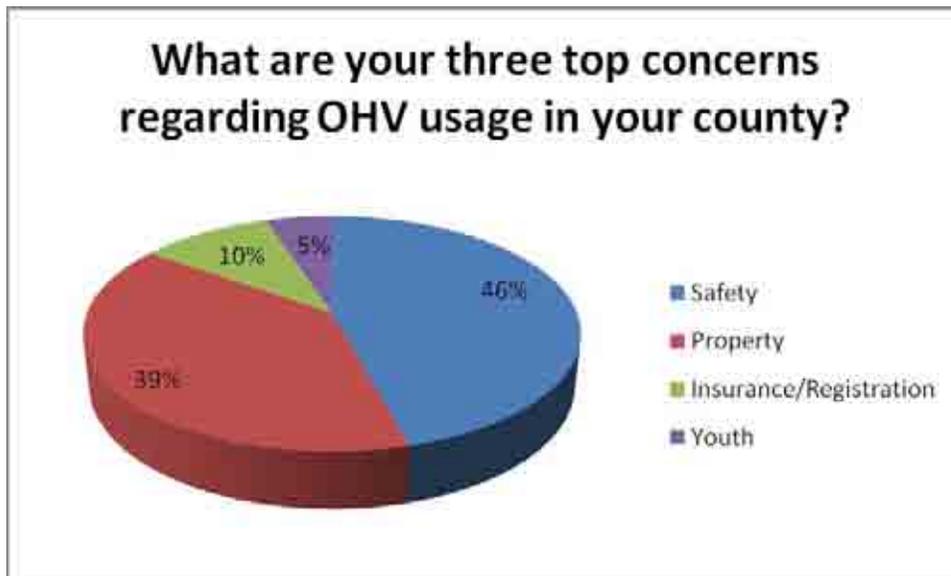
- McKenzie County feels access to Lake Sakakawea is restrictive. Combination of restrictions from the Corp of Engineers, US Fish and Wildlife, and State Game and Fish adds to the problem of low water levels. Non-boating public has few places to access waterway.

**Question #7. What are your three top concerns regarding OHV usage in your county?**

Respondents were asked an open-ended question regarding concerns of OHV usage. Their responses can be categorized into four main areas of concern: safety issues (49%), property issues (37%), insurance/registration issues (9%) and youth issues (5%).

Of these four general categories, safety issues received the highest number with 27 concerns listed. Safety issues were followed by property issues with 23 concerns listed; insurance and registration received six comments; and youth usage had three concerns identified.

Safety	Property	Insurance/Registration	Youth
46% (27)	39% (23)	10% (6)	5% (3)



**Concerns regarding safety:**

- Safety (4)
- Helmet usage (3)
- Accidents (2)
- Violations of traffic and safety laws (2)
- Liability issues (2)

- Operation while under the influence.
- Drive roadways
- Speed
- Fire danger from being off trail
- Operator's lack of concern for safety of others
- Wildlife harassment
- Additional work for emergency services
- Being used as a motor vehicle, being used for everything. Traveling up/down the roads (even with the restrictions). Not the intent.
- Operator's lack of willingness to obey ordinances and signs
- Enforcement of violations
- Helmet laws
- General rules of operation
- People getting lost
- Emergencies only

**Concerns regarding property:**

- Trespassing on private land
- Destruction of property
- Trespass on private property
- Damage to county facilities
- Damage to adjacent properties
- Damage to right-of-way
- Riding on unauthorized areas
- Access to trails
- Crop damage
- Complaints
- Environmental impact
- Adjacent owner's property rights
- OHV access to Lake Sakakawea
- Restrictions on Little Missouri National Grasslands
- OHV from Fort Berthold to Lake Sakakawea
- Accountability to landowner
- Property owner rights
- Fire danger

- Keeping them on designated areas
- Keeping adjacent landowners cooperative and happy
- Funding for upkeep for designated areas

**Concerns regarding insurance and registration:**

- Insurance issues (3)
- Licensing (2)
- Liability issues

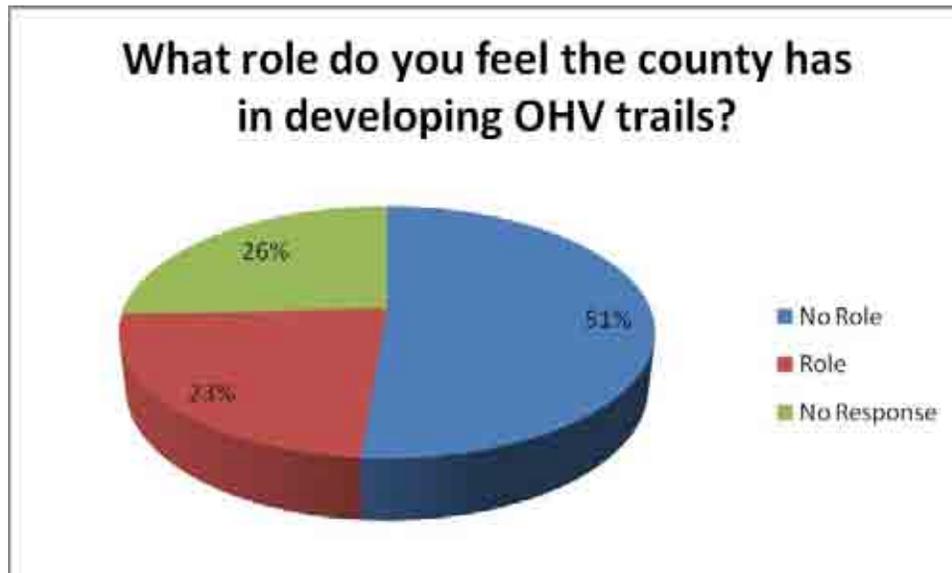
**Concerns regarding youth usage:**

- Youth operating without proper supervision
- Underage drivers
- Children without adequate supervision

**Question #8. What role do you feel the county has in developing OHV trails?**

There were 30 responses to a question regarding the county's role in developing OHV trails. Of the 30 responses, 21 counties (53% of respondents) stated they had no role. Nine officials did not respond to the question.

No Role	Role	No Response
51% (21)	26% (9)	23% (9)



**Comments:**

- 20 responses: No role for county government
- Left up to the Parks/Rec, Game and Fish, or a joint effort with all agencies to include County Government.
- That should be left more to the entities that own the public land.
- Very little – it should be left to recreation committees who are aware of the laws and requirements.
- Economic development, to bring people to our county for recreation.
- Minor role – no land to develop (Foster County).
- Richland County does not regulate land use. The townships and cities reserved that right.
- As the economic developer, I think it is important for all entities to have a role. In the Southwest region, there's a tourism factor along with the recreation opportunities for residents. Comments that I have received include people's interest in seeing what's off the beaten path. We are also communicating

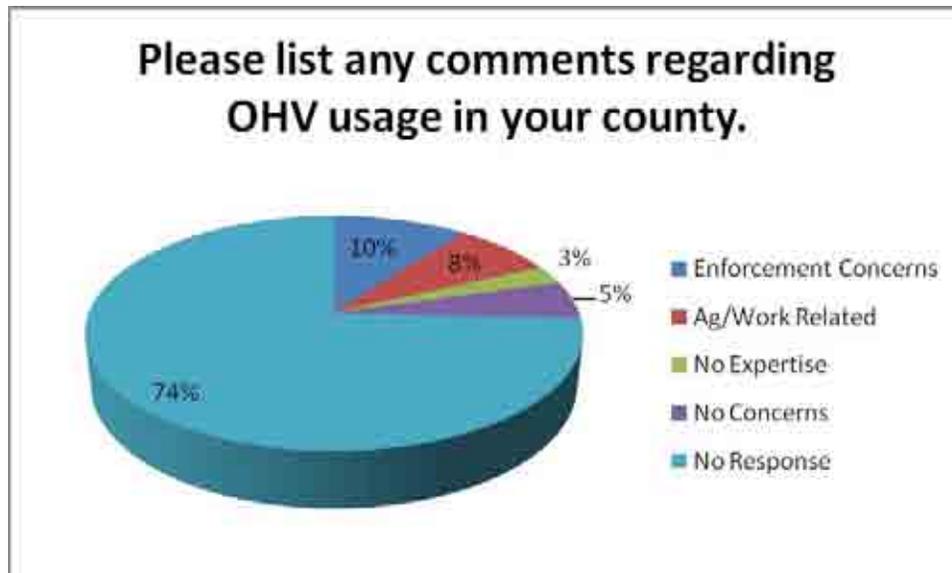
with Slope County's ED in an attempt to develop trails between Beach and Marmarth and all points of interest in between – with a dream of campsites to allow extended visits of 2-3 days for the area. (Golden Valley)

- I feel the county can take a small part of developing a trail for OHVs. Most counties have a lot more major issues than this.
- The State should inform the County of trails that are being developed and/or maintained.
- Some, but I feel it should be a joint venture between local and state.
- Right now, a small role. My county does not have a countywide park and recreation system and we have enough on our plate right now.
- Partner with state and federal agencies in the development and maintenance of approved trails.
- None, except to support any group who may wish to pursue if the county feels it is beneficial to those wishing to have such trails.
- Minimal

**Question #9. Please list any comments regarding OHV usage in your county.**

About one-fifth (21%) of respondents offered additional comments regarding OHV use in their counties. Of the ten responses, four counties (40%) expressed concerns regarding law enforcement. The majority (74%) of officials did not respond to the question.

Enforcement Concerns	Ag/Work Related	No Expertise in Area	No Concerns	No Response
10% (4)	8% (3)	3% (1)	5% (2)	74% (29)



**Enforcement Concerns:**

- Seeing more and more usage. Being driven all over. Like to see more enforcement from agencies such as Parks & Rec, Game and Fish.
- We don't like them. They should be banned from all roads except private property.
- OHV operators seem to feel they can ride wherever they please. Penalties for breaking ordinances are minor -- numerous complaints about OHV operators.
- Sheriff has encountered noise and vandalism of property owner's at Lake Juanita Park and by cabin owners.

**Ag/Work Related Comments:**

- Most OHVs are used on farms and ranches. We have only a few that use them for recreation. Most of those have to go to South Dakota to find trails.
- Most usage is done in the roadway ditches and Corp Property along Lake Oahe. Most ranchers and farmers use them for work related.
- It's minimal currently – other than farmers and ranchers due to undesignated public areas. We are trying to work with the Forest Service and the county for designated areas between public lands and county areas to create a series of trails for ATVs.

**No Concerns:**

- Most people using OHVs seem to be aware of the laws and try to ride within the law.
- It has not been an issue with the county.

**No Expertise:**

- This is an area that I have very little or no expertise.

## **Appendix**



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[www.parkrec.nd.gov](http://www.parkrec.nd.gov)

November 20, 2007

Greetings from the North Dakota Parks and Recreation Department!

We would appreciate your assistance in completing the enclosed survey regarding OHV use in your county. **Please complete the enclosed survey by December 3 and submit in the post paid envelope provided for you.**

A similar survey was last completed in 2003. The information gathered from that survey was used to assist in developing North Dakota's first ATV strategic plan for 2003-2006. Since then, the ND Legislature has made a number of changes to N.D.C.C. 39-29 (ATVs), which expanded the type of vehicles covered to include; off-road motorcycles and larger all-terrain vehicles. By broadening the types of vehicles included in the chapter, these types of vehicles are now referred to as off-highway vehicles or OHVs rather than ATVs.

In addition to responses from county officials like you, we are conducting phone surveys of OHV owners in North Dakota. Results from both surveys will assist the department in updating the OHV plan to address safety, education, enforcement, and the riding needs of OHV enthusiasts throughout the state.

It is important that we are able to include information from your county. A report will be completed by the end of this year. A copy of the updated plan will be forwarded for your reference and use.

Thank you in advance for your contributions and insight on OHV use and management.

Sincerely,

A handwritten signature in black ink that reads "Doug Prchal".

Douglas A. Prchal  
Director

Enclosures: Survey, return envelope

## 2007 OHV (Off-highway Vehicles) County Survey

Thank you for your insights on this survey. **We ask that it be returned by Monday, December 3, 2007** in order to complete the report by year-end.

I am the County:

\_\_\_\_\_ Auditor

\_\_\_\_\_ Sheriff

1. Please list any land sites that are currently available for OHV use.

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2. Please list land sites that may be available for developing OHV use areas.

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3. Does the county receive requests for general information on use areas?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

a. Does the county receive requests for new developments for use areas? \_\_\_\_\_

Yes      \_\_\_\_\_ No

b. Overall, how many requests does the county receive each year regarding use areas? \_\_\_\_\_

4. If grants were available for OHV trail development, what would be the county's interest level in taking advantage of these grants?

\_\_\_\_\_ High interest      \_\_\_\_\_ Medium interest      \_\_\_\_\_ Low interest

**Please complete back side →**

**5. Do you feel that current county laws governing OHV usage are adequate?**

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

Please list the applicable laws, or submit a list with this survey.

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**6. Do you feel that current state laws governing OHV usage are adequate?**

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

If you answered no, please tell us where you'd like to see changes.

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**7. What are your top three concerns regarding OHV usage in your county?**

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_

**8. What role do you feel the county has in developing OHV trails?**

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**9. Please list any comments regarding OHV use in your county.**

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**Survey completed by:** \_\_\_\_\_

**County:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### County Survey Respondents

County	Name	Title
1. Adams	Sheriff Molbert and Auditor Carroll	Sheriff and Auditor
2. Billings	Pat Rummel/ Kathy Cash	Sheriff
3. Bottineau	Mae Streich	Auditor
4. Bowman	Rory Teigen	Sheriff
5. Burke	Barry Jager	Sheriff
6. Burleigh	Kevin Glatt	Auditor
7. Cass	Michael Montplaisir	Auditor
8. Dickey	Jim Bohannon	Sheriff
9. Dunn	Reinhard Hauck	Auditor
10. Eddy	Darrell Hager	Sheriff
11. Emmons	Gary Sanders	Sheriff
12. Foster	Roger Schlotman	Auditor
13. Golden Valley	Deb Walworth	Prairie West Development Foundation
14. Grand Forks	Debbie Nelson	Auditor
15. Griggs	Cindy Anton	Auditor
16. Hettinger	Roy Steiner	Auditor
17. Kidder	Ruth Graf	Co-Auditor
18. LaMoure	Michael Johnson	Auditor
19. Logan	B Schumacher	Auditor
20. McHenry	Darlene Carpenter	Auditor
21. McIntosh	Gina Ketterling	Auditor
22. McKenzie	Gene Veeder	Auditor
23. McLean	Les Korgel	Auditor
24. Mercer	Monte Erhardt	Auditor
25. Nelson	Kelly Janke	Sheriff
26. Pierce	Karin Fursather	Auditor
27. Ramsey	Kandy Christopherson	Deputy Auditor
28. Ransom	Connie Gilbert	Auditor
29. Richland	Harris Bailey	Auditor
30. Sargent	Sherry Hosford	Auditor
31. Sheridan	Shirley Murray	Auditor
32. Sioux	Barb Hettich	Auditor
33. Slope	Lorrie Buzalsky	Auditor
34. Stutsman	Dennis Lorenz	Park Superintendent
35. Towner	Vaugh Klier	Sheriff
36. Trail	Rebecca Braaten	Auditor
37. Walsh	Sharon Kensala	Auditor
38. Ward	Auditor Devra Smestad & Highway Eng. Roger Kluck	Auditor and Highway Engineer
39. Wells	Janell Rudel	Auditor